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NOV 29 2006

**Gunnison, McKay &
Hodgson, L.L.P.**

To: Examiner Jason D. Mitchell From: Forrest Gunnison

Fax: 1-571-273-8300 Pages: 13 Total

Phone: 1-571-272-3728 Date: November 29, 2006

Re: Response to Notice of Non-Compliant Amendment for entry

Your Ref: Serial No. 10/661,043 Our Ref: P-4172CNT

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Applicants: Judith E. Schwabe
Assignee: Sun Microsystems, Inc.
Title: REMOTE INCREMENTAL PROGRAM VERIFICATION USING API
DEFINITIONS

Serial No.: 10/661,043 Filed: September 12, 2003

Examiner: Jason D. Mitchell Group Art 2193
Unit:

Docket No.: P-4172CNT

Enclosed is:

1. Transmittal Letter (2 pages); and
2. Replacement Listing of Claims consisting of Replacement pages for pages 2 to 11 of the paper dated October 27, 2006 (10 pages).

SECOND TRANSMITTAL--PTO Response page indicated not all pages received in first transmittal

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify this paper is being facsimile transmitted to the Patent and Trademark Office (fax No. 571-273-8300) on the date shown below:


Signature
Kelly Johnson

November 29, 2006

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November 29, 2006

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

RE: Applicant(s): Judith E. Schwabe
Assignee: Sun Microsystems, Inc.
Title: REMOTE INCREMENTAL PROGRAM VERIFICATION USING
API DEFINITIONS
Serial No.: 10/661,043 Filed: September 12, 2003
Examiner: Jason D. Group Art 2193
Mitchell Unit:
Docket No.: P-4172CNT

Dear Sir:

Transmitted herewith is the following document for the response to the Notice of Non-Compliant Amendment dated November 21, 2006 in the above application:

1. Replacement Listing of Claims consisting of Replacement pages for pages 2 to 11 of the paper dated October 27, 2006 (10 pages).

The enclosed replacement Listing of Claims consisting of Replacement pages for pages 2 to 11 of the paper dated October 27, 2006 shows that Claims 2 to 27 were cancelled. This follows directly from the fact that the Office indicated only Claims 1 and 28 to 54 were pending in the application.

- 1 -

GUNNISON, MCKAY & HODGSON, L.L.P.

Transmittal Letter
Serial No. 10/661,043
November 29, 2006

Applicant respectfully submits that the Replacement Listing of Claims renders the Notice of Non-Compliant Amendment moot and requests withdrawal of that Notice. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

☒ Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed documents after all papers filed with this transmittal have been considered, Applicant(s) hereby petition for such an extension of time.

☒ The Commissioner is hereby authorized to charge any additional fees required for consideration of the enclosed documents, and to credit any overpayment of fees to Deposit Account No. 50-0553.

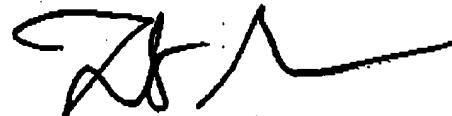
CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. 1-571-273-8300, on November 29, 2006.


Kelly Johnson

November 29, 2006
Date of Signature

Respectfully submitted,



Forrest Gunnison
Attorney for Applicant(s)
Reg. No. 32,899